



PUBLIC NOTICE

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180-DAY CLOCK STOPPED IN COMCAST-TIME WARNER CABLE-CHARTER AND AT&T-DIRECTV TRANSACTION PROCEEDINGS

MB Docket No. 14-57
MB Docket No. 14-90

We are today pausing the Commission's informal 180-day clocks in these two proceedings.

The Commission has entered protective orders in these proceedings, generally permitting outside counsel and outside experts employed by the various participants to review, solely in connection with their participation, confidential information that has been filed in the respective records.¹ Specifically, the protective orders provide for the review of information defined as Confidential Information and Highly Confidential Information, including Video Programming Confidential Information ("VPCI"). On November 13, 2014, a Petition for Review and a request for stay were filed in the United States Court of Appeals for the District of Columbia Circuit with regard to the review of VPCI under the protective orders. On November 21, 2014, the court granted the request for stay. The court heard oral argument on the merits of the Petition for Review on February 20, 2015, but has not yet issued its decision.

At this time, we believe it is prudent to pause the informal 180-day transaction clocks because the Commission would be advantaged by knowing the resolution of the pending Petition for Review before the transaction clocks reach the 180-day mark, which both are slated to do by the end of March. In reaching this conclusion, the Commission reserves the right to restart the clock as it believes will best serve the public interest and it intends to provide further guidance as it becomes appropriate.

We take this opportunity to remind the public that the 180-day clock represents a good faith undertaking by the Commission to complete action on assignment and transfer of control applications within a certain timeframe and is a means to keep interested parties informed of the progress of those reviews. The clock carries with it no procedural or substantive rights or obligations but merely represents an informal benchmark by which to evaluate the Commission's progress. Although the Commission seeks to meet the 180-day benchmark, the Commission retains the discretion to determine whether, in any particular review proceeding, events beyond the agency's control, the need to obtain additional information, or the interests of sound analysis constitute sufficient grounds to stop the clock.

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¹ See Applications of Comcast Corp. and Time Warner Cable Inc., MB Docket No. 14-57, Applications of AT&T, Inc. and DIRECTV, MB Docket No. 14-90, *Order*, 29 FCC Rcd 14267 (2014).